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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,597	02/10/2004	Sean R. Sykora	20344.00	8881

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EXAMINER

MANAF, ABDUL

ART UNIT	PAPER NUMBER
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3635

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/774,597

Applicant(s)

SYKORA, SEAN R.

Examiner

Abdul Manaf

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/10/2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>02/10/2004</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "length substantially shorter than the length of said side-less edge" is not shown in the drawings. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 15 are rejected under 35 U.S.C. 102(b) as being anticipated by the U.S. Patent No. 6,684,572 to Homolka et al.

In regard to claim 1, Homolka discloses a doorframe protector (Fig. 9) comprising an elongated, flexible (column 5, lines 40-43) latch-side protector having an inside surface (see Marked Figure), the latch-side protector having pair of opposing longitudinal side walls (see Fig. 4), each of the side walls having an edge curled inward toward the inside surface (see Marked Figure).

In regard to claim 2, Homolka discloses a doorframe protector comprising at least one strip 13 of padding material disposed longitudinally along the inside surface (see Fig. 4).

In regard to claim 3, Homolka discloses a doorframe protector comprising a plurality of apertures 15 (Webster's II Dictionary definition) defined in and longitudinally spaced along the side wall (see Fig. 9).

In regard to claim 4, Homolka discloses a doorframe protector (Fig. 9) comprising an elongated, flexible (column 5, lines 40-43) hinge-side protector having an inside surface (see Marked Figure), the hinge-side protector having a first longitudinal side wall (see Fig. 9), having an edge curled inward toward the inside surface (see Marked Figure), the hinge-side protector having a side-less edge (see Marked Figure) opposite the side wall.

In regard to claim 5, Homolka discloses a doorframe protector comprising at least one strip 13 of padding material disposed longitudinally along the inside surface (see Fig. 4).

In regard to claim 6, Homolka discloses a doorframe protector comprising at least one securing piece being an elongated, flexible (column 5, lines 40-43) member having

an inside surface (see Marked Figure), the hinge-side protector having pair of opposing longitudinal side walls (see Fig. 9), each of the side wall having an edge curled inward toward the inside surface (see Marked Figure).

In regard to claim 7, Homolka discloses a doorframe protector comprising a second (see Fig. 9) longitudinal side wall disposed along the side-less edge, the second side wall having an edge curled inward toward the inside surface (see Marked Figure), the second side wall having a length substantially shorter than the length of the side-less edge (see Marked Figure).

In regard to claim 8, Homolka discloses a doorframe protector comprising the second side wall centered along the side-less edge (see Marked Figure).

In regard to claim 9, Homolka discloses a doorframe protector (Fig. 9) comprising an elongated, flexible (column 5, lines 40-43) latch-side protector having an inside surface (see Marked Figure), the latch-side protector having pair of opposing longitudinal side walls (see Fig. 4), each of the side walls having an edge curled inward toward the inside surface (see Marked Figure); and elongated, flexible (column 5, lines 40-43) hinge-side protector having an inside surface (see Marked Figure), the hinge-side protector having a first longitudinal side wall (see Fig. 9), having an edge curled inward toward the inside surface (see Marked Figure), the hinge-side protector having a side-less edge (see Marked Figure) opposite the side wall.

In regard to claims 10 and 11, Homolka discloses a doorframe protector comprising at least one strip 13 of padding material disposed longitudinally along the inside surface of the latch-side protector and or the hinge-side protector (see Fig. 4).

In regard to claim 12, Homolka discloses a doorframe protector comprising a plurality of apertures 15 (Webster's II Dictionary definition) defined in and longitudinally spaced along the side wall of the latch-side protector (see Fig. 9).

In regard to claim 13, Homolka discloses a doorframe protector comprising at least one securing piece being an elongated, flexible (column 5, lines 40-43) member having an inside surface (see Marked Figure), the hinge-side protector having pair of opposing longitudinal side walls (see Fig. 9), each of the side wall having an edge curled inward toward the inside surface (see Marked Figure).

In regard to claim 14, Homolka discloses a doorframe protector wherein the hinge-side protector comprises a second (see Fig. 9) longitudinal side wall disposed along the side-less edge, the second side wall having an edge curled inward toward the inside surface (see Marked Figure), the second side wall having a length substantially shorter than the length of the side-less edge (see Marked Figure).

In regard to claim 15, Homolka discloses a doorframe protector comprising the second side wall centered along the side-less edge (see Marked Figure).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdul Manaf whose telephone number is 571-272-1476. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on (571) 272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3635

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AM *A.M.*

03/14/2006



BASIL KATCHEV
EXAMINER AO 3635

4/14/06

U.S. Patent

Feb. 3, 2004

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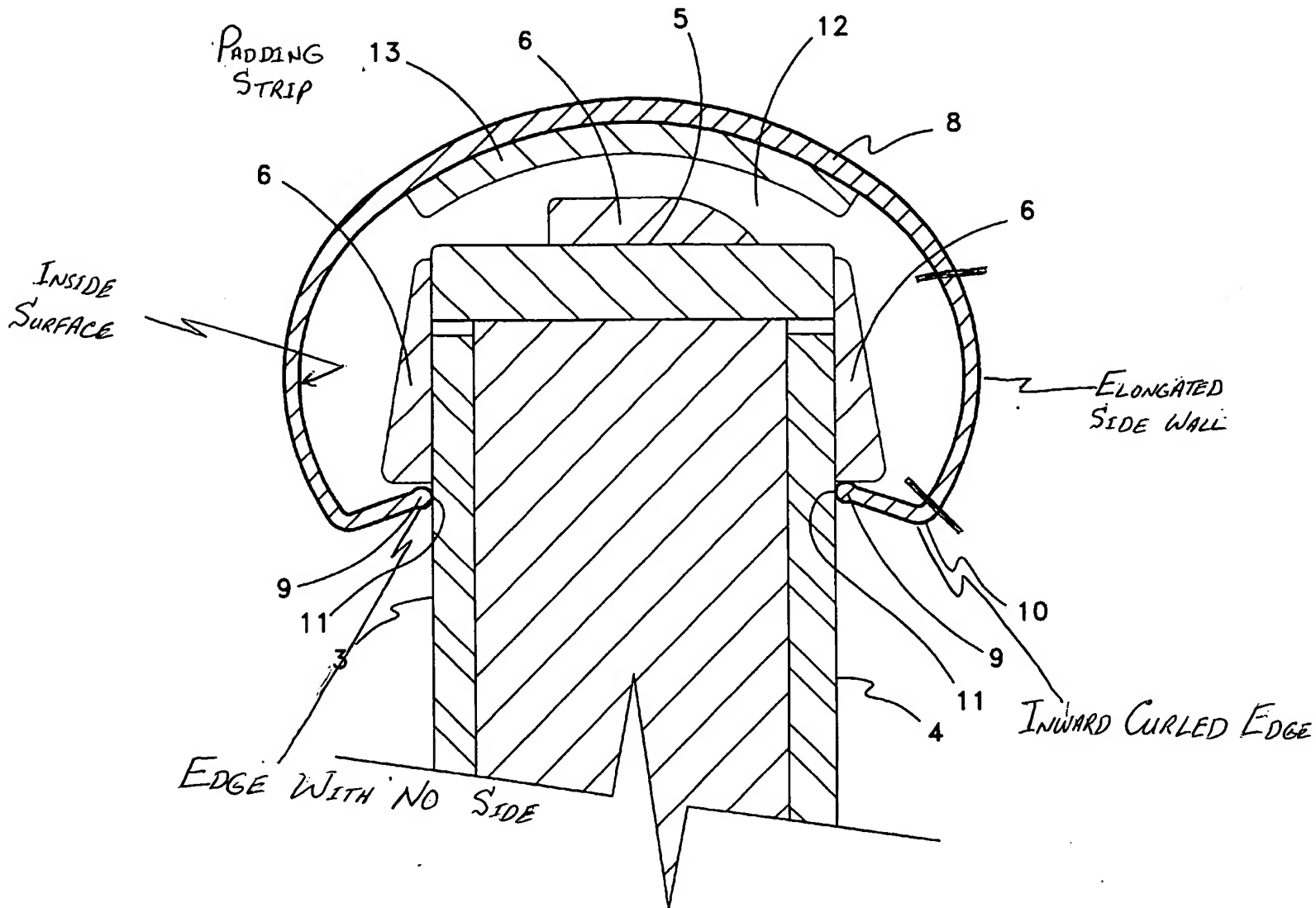


Fig. 4

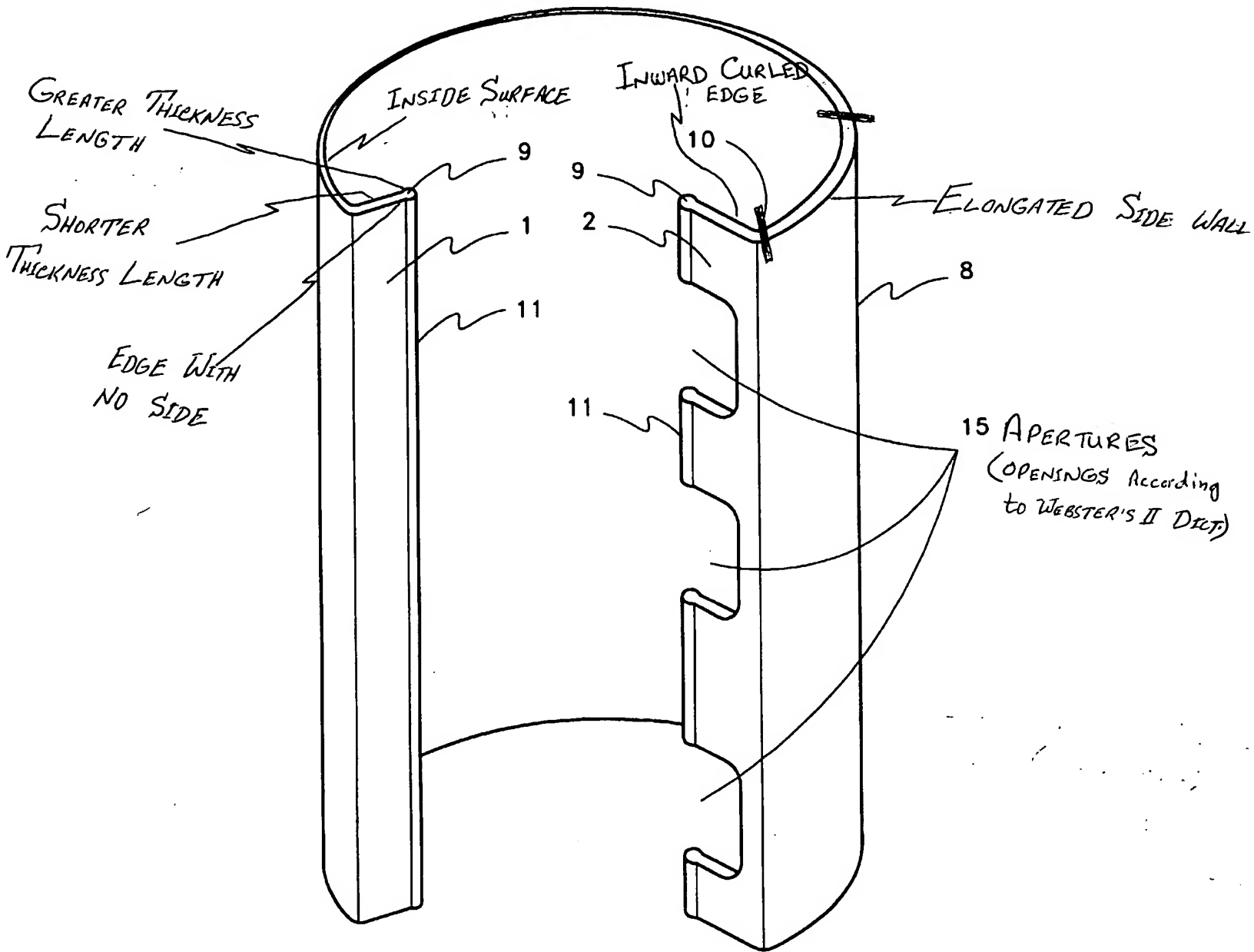


Fig. 9

HINGE-SIDE PROTECTOR (SECURING PEECE)
AND/OR
LATCH-SIDE PROTECTOR